

SENATE BILL 234

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2003 Regular Session
3r0704
CF 3r0703

By: **Senators Stone and Hughes (Committee to Revise Article 27 - Crimes and Punishments)**

Introduced and read first time: January 29, 2003

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law - Extortion - Fines**

3 FOR the purpose of establishing the maximum fines for certain crimes relating to
4 extortion; and generally relating to extortion.

5 BY repealing and reenacting, with amendments,
6 Article - Criminal Law
7 Section 3-704 through 3-706
8 Annotated Code of Maryland
9 (2002 Volume)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article - Criminal Law**

13 3-704.

14 (a) A person, with the intent to extort money or procure other profit, may not
15 falsely accuse or threaten to accuse another of a crime or of anything that, if the
16 accusation were true, would tend to bring the other into contempt or disrepute.

17 (b) A person who violates this section is guilty of a misdemeanor and on
18 conviction is subject to imprisonment not exceeding 2 years OR A FINE NOT
19 EXCEEDING \$2,000 OR BOTH.

20 3-705.

21 (a) A person, with the intent to extort or gain money, property, or anything of
22 value from another, may not verbally threaten to:

23 (1) accuse any person of a crime that may be charged by indictment
24 under the laws of the State or of anything that, if true, would bring the person into
25 contempt or disrepute; or

1 (2) injure the person or property of anyone.

2 (b) A person who violates this section is guilty of a felony and on conviction
3 shall be sentenced to imprisonment for not less than 2 years and not exceeding 10
4 years OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

5 3-706.

6 (a) (1) This section applies to any writing, whether or not the writing is
7 signed, or if the writing is signed, whether or not it is signed with a fictitious name or
8 any other mark or designation.

9 (2) This section does not apply to a good faith reasonable notice of
10 dishonor and warning of criminal prosecution under Title 8, Subtitle 1 of this article
11 given by a holder of an instrument to the maker of the instrument.

12 (b) A person, with the intent to extort or gain money, property, or anything of
13 value from another, may not knowingly send or deliver, or make for the purpose of
14 being sent or delivered and part with the possession of, a writing threatening to:

15 (1) accuse any person of a crime that may be charged by indictment
16 under the laws of the State or of anything that, if true, would bring the person into
17 contempt or disrepute; or

18 (2) injure the person or property of anyone.

19 (c) A person who violates this section is guilty of a felony and on conviction is
20 subject to imprisonment for not less than 2 years and not exceeding 10 years OR A
21 FINE NOT EXCEEDING \$10,000 OR BOTH.

22 COMMITTEE NOTE (COMMITTEE TO REVISE ARTICLE 27): The specific
23 fines for the crimes in this Act were proposed under the rationale that the appropriate
24 maximum fine should be calculated by multiplying by \$1,000 the maximum number
25 of years of imprisonment authorized by statute.

26 SECTION 2. AND BE IT FURTHER ENACTED, That the Committee Note
27 contained in this Act is not law.

28 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2003.